



11/53 JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-140)

PATENT

In the Application of:	)	
<b>Muggetti et al.</b>	)	
	)	Art Unit: 1653
Serial No.: <b>10/069,982</b>	)	
	)	Examiner: Snedden
I.A. Filed: <b>September 13, 2000</b>	)	
	)	Conf. No. 2973
For: <b>Formulations for Parenteral Use of</b>	)	
<b>Estramustine Phosphate and Amino</b>	)	
<b>Acids</b>	)	

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the restriction requirement mailed on August 11, 2004. Applicants respectfully request a one-month extension of time up to and including October 11, 2004. It is believed that no fee is due in connection with this filing. If, however, a fee is due in connection with this filing, the Commissioner is authorized to charge our deposit account number 13-2490.

Applicants elect to prosecute Group I, claims 1-26, **with traverse**. The Examiner asserts that Group I is drawn to a pharmaceutical composition of estramustine and a basic amino acid, and methods of making and methods of using the composition. The Examiner further asserts that Group II, claims 27-31, is drawn to a pharmaceutical composition of an antineoplastic agent and arginine. Arginine is a basic amino acid and estramustine is an antineoplastic agent. As such, Group I and Group II do not lack unity of invention.

Group III, claims 29-31, should be rejoined with Group I and Group II because Group III comprises an independent claim using arginine in the preparation of a medicament for the treatment and the prevention of side-effects associated with the administration of estramustine of Group I or antineoplastic agents of Group II.



Finally, Applicants note that claim 32 was not assigned to a Group. Applicants respectfully request that claim 32 be joined to Group I because claim 32 is drawn to a pharmaceutical composition of estramustine and a basic amino acid.

Dated: 10/12/04

Respectfully submitted,

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